

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE MIDWAY CITY  
SANITARY DISTRICT OF ORANGE COUNTY  
14451 CEDARWOOD AVENUE  
WESTMINSTER, CA 92683**

**March 17, 2015**

**CALL TO ORDER**

President Cobo called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, March 17, 2015 at 5:02 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner  
Joy L. Neugebauer  
Tyler Diep (departed at 6:34 P.M.)  
Margie L. Rice  
Frank Cobo

**OTHERS AT MEETING:**

Ken Robbins, General Manager  
Robert Housley, Finance/HR Director  
Tom Nixon, General Counsel  
Danielle Gerardo, Board Secretary  
Joseph Larson, Labor Counsel (arrived at 5:30 P.M.)

**PLEDGE AND INVOCATION**

Director Diep led the Pledge of Allegiance. Director Neugebauer gave the Invocation.

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 3, 2015**

A motion was made by Director Neugebauer, seconded by Director Diep to approve the minutes of the meeting of March 3, 2015. The motion was approved by the following 5-0 vote:

**AYES:** Cobo, Diep, Krippner, Neugebauer, Rice

**NAYS:**

**ABSTAIN:**

**ABSENT:**

# APPROVAL OF EXPENDITURES

## A. Demands in the amount of \$ 257,600.25

#	CK #	Date	AMOUNT	VENDOR
1				<b>HANDCUT CHECKS:</b>
2	7481	3/9	600.00	<b>Ron Ruano</b> - Mariachi Band for 2015 Tel Parade 02/21/2015 (Replacement Check for #7456)
3	7482	3/10	337.05	<b>AT&amp;T Mobility</b> - Service for February 2015: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,
4				Sewer 714-310-8654, Emergency 714-310-9004.
5	7483	3/10	1,068.77	<b>Chevron &amp; Texaco Bus. Card Svcs.</b> - Gasoline Purchases for February 2015
6	7484	3/10	110.98	<b>DirectTV</b> - Service for March 2015
7	7485	3/10	7,143.99	<b>US Bank-[KR \$4,993.60]</b> Meals for CASA Conf. Palm Springs,CA 1/21-1/23/2015(KR);Waste Expo Hotel
8				Deposit(MR,JN,AK,FC,KR,NC);Hotel CASA Conf. Palm Springs,CA 1/21-1/23/2015(MR,JN,FC,AK,KR);
9				MWDOC Water Policy Forum & Dinner 02/05/2015(AK);CASA 2015 Washington D.C. Conf. Registration
10				(MR, JN, FC, KR);Wiarcom Monthly Services FEB-2015.[DGe \$253.77]Board Meeting Refreshments 02/03 &
11				02/17/2015;CSDA Board Secretary Conf. 02/12-02/13/2015(DGe).[DGr \$97.85]Restock Sewer Supplies
12				<b>[NC \$96.11]</b> (6)Relays for Restock;(1)Power strip for M64. <b>[RH \$1,702.66]</b> Remington Monthly Service FEB-2015;
13				Orange County Register FEB-2015;Meals for CASA Conf. Palm Springs,CA 01/21-01/23/2015(RH);Hotel
14				CASA Conf. Palm Springs,CA 1/21-1/23/2015(RH);Meals CSMFO Conf. Monterey,CA 2/18-2/20/2015(RH);
15				Transportation CSMFO Conf. Monterey, CA 02/18-02/20/2015 (RH); Deposit & Hotel for CSMFO Conf.
16				Monterey, CA 02/18-02/20/2015 (RH); 2015 Dues for CSMFO Membership; City of Westminster Water -
17				Wash Rack - 11/26/14-01/20/15; City of Westminster Water - Maint. Shop - 11/26/14-01/20/15; City of
18				Westminster Water-District Offices-11/26/14-01/20/15;City of Westminster Water-Westminster Lift Station
19				- 12/17/14-02/10/15.
20	7486	3/10	437.05	<b>Verizon Business</b> - Internet Connection for SCADA System for March 2015
21	7487	3/10	1,035.91	<b>Verizon California</b> - District Office Phones & Lift Stations for February 2015; \$566.74 District Office,
22				865.86 \$156.41 Willow Lift, \$156.38 Westminster Lift, \$156.38 Hammon Lift.
23	7488	3/10	394.42	<b>Vision Service Plan</b> - Monthly Premium for March 2015
24	7489	3/11	125,726.88	<b>Rainbow Transfer Recycling</b> - Tonnage for January 2015 (Replacement Check for #7453)
25	7490	3/11	2,816.55	<b>Rainbow Transfer Recycling</b> - CNG Fuel through January 2015 (Replacement Check for #7445 & #7446)
26	7491	3/11	9,130.24	<b>Rainbow Transfer Recycling</b> -Gasoline & Diesel Purchases for January 2015(Replacement Check for#7447)
27	7492	3/11	4,906.21	<b>CalPERS Retirement</b> - Retirement Contributions for March 2015
28			<b>154,573.91</b>	<b>HANDCUT CHECKS SUBTOTAL</b>
29				
30				<b>REGULAR CHECKS:</b>
31	7493	3/11	4.97	<b>Cobo, Frank</b> - Reimbursement for CASA Conference Palm Springs, CA 01/21-01/23/15
32	7494	3/11	18.16	<b>Housley, Robert</b> - Reimbursement for CSMFO Conference Monterey, CA 02/18-02/20/15
33	7495	3/11	56.00	<b>Advanced Gas Products</b> - Cylinder Rental for February 2015
34	7496	3/11	4,610.02	<b>Bodyworks</b> - (2) Arm Assembly, (6) 4" Cam Followers, (30) 2" Cam Followers, (10) Rocker Switches,
35				(2) Plungers, (2) Coils, (2) Cushion Kits for Restock.
36	7497	3/11	1,172.24	<b>Chemsearch, Inc.</b> - (120) Lbs. Lubricant for Restock
37	7498	3/11	80.00	<b>City of Westminster</b> - Hydrant Meter Water Usage for January & February 2015
38	7499	3/11	737.00	<b>CRC Cloud</b> - Maintenance & Support for March 2015
39	7500	3/11	262.50	<b>Country City Towing</b> - Tow to District for T57

40	7501	3/11	4,428.50	<b>CR Transfer</b> - Tonnage from 02/16/2015 through 02/24/2015
41	7502	3/11	69.38	<b>DJ Printing</b> - (1000) White Window Envelopes with District Logo for Restock
42	7503	3/11	3,268.05	<b>Danief's Tire Service</b> - (17) Recaps for Restock
43	7504	3/11	290.10	<b>G &amp; K Services</b> - Uniform Services for February & March 2015
44	7505	3/11	550.00	<b>Glyn's Mobile Opacity Testing</b> - Annual Diesel Opacity Testing for Fleet (11) Trucks
45	7506	3/11	20.00	<b>Golden Trophy &amp; Awards</b> - Plaque Engraving for Employees of the Year 2014 & 2015
46	7507	3/11	2,049.62	<b>Greenberg Farrow Architecture, Inc.</b> - Engineering Services for CNG Fueling Station
47	7508	3/11	370.23	<b>ID Industries</b> - (8) Grabber Rollers, (20) Rocker Switch, (20) Spool Bushing Rubber for Restock
48	7509	3/11	484.95	<b>Ironman Parts</b> - D.P.F. Filter Cleaning for T57
49	7510	3/11	1,588.89	<b>Los Alamitos Napa Auto Parts</b> - (50)Ft Hydraulic Hosing, (20) Hose Ends, (2) Exhaust Caps, (2) Amber Lights, 50 (6) Amber Lens, (10) Nuts, (10) Sleeves for Restock.
51	7511	3/11	6,711.75	<b>Orange County Sanitation District</b> - Permit Fees for February 2015 (MCSD 5% = \$353.25)
52	7512	3/11	769.63	<b>Plumber's Depot</b> - (2) Vactor Throttle Switches and (2) Vactor Ignition Switches for M63 & M64
53	7513	3/11	1,776.64	<b>Rainbow Transfer Recycling</b> - CNG Fuel through February 2015
54	7514	3/11	9,949.25	<b>Rainbow Transfer Recycling</b> - Gasoline & Diesel Purchases for February 2015
55	7515	3/11	290.59	<b>Mobile Relay Associates</b> - Labor & Parts to Install Outdoor Pa Speaker in District Yard
56	7516	3/11	800.00	<b>Robotic Sewer Solutions</b> - Cut Off Protruding Lateral Liner in City Main at Yermo Way
57	7517	3/11	3,474.19	<b>Top Mobile Vision</b> - (5) Surveillance Cameras & Labor Installed for CNG Fueling Facility & Yard
58	7518	3/11	12.00	<b>Underground Service Alert</b> - (8) New Tickets for February 2015
59			\$ 43,844.66	<b>REGULAR CHECKS SUBTOTAL</b>
60				
61				<b>PAYROLL</b>
62	3/3		57,496.68	Payroll - Staff Check # 15739 Taxes & Direct Deposits
63	3/3		1,135.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
64	3/3		550.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
65			\$ 59,181.68	<b>PAYROLL SUBTOTAL</b>
66				
67			\$ 257,600.25	<b>TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)</b>
68				
				<b>BANK TRANSFERS</b>
	3/2		255,000.00	Transfer Funds from Money Market to Checking Account

A motion was made by Director Rice seconded by Director Diep to approve the expenditures in the amount of \$ 257,600.25. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

A motion was made by Director Rice, seconded by Director Neugebauer to amend the format of the expenditures in order to include identifying details of all credit card expenses. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

## **REPORTS**

### **Report of President**

None

### **Report of General Manager**

GM Robbins reported that the District will receive a change order for the electrical portion of the CNG fueling station project. Southern California Edison is requiring that the District change from 240 Delta to 208 Wye due to safety requirements.

GM Robbins reported that there is also one power conduit that goes from the mechanics shop to the wash rack that must be changed and that Orange County Sanitation District has offered to help pay for it since it feeds their system too.

GM Robbins stated that the District previously approved a change order from Southern California Edison for the six foot separation and installation of an electrical conduit pipe for \$146,000. Since that time, there was another meeting with the SCE inspector who has determined that there must be a slurry mix over their power conduit. SCE also determined that the District's fire service is in conflict with their line. Due to these new changes, the contractor came back with a change order in the amount of \$318,000. GM Robbins stated that he had a meeting with the contractors and the engineer on Monday to discuss these changes.

Director Neugebauer stated that the project should have been put back out to bid.

GM Robbins stated that the change order is back down to \$146,000 due to the Southern California Edison vault being moved to the other side of the CNG fueling system.

GM Robbins stated that he informed Rainbow that they cannot use Republic trucks for service within the District due to the franchise agreement. They have remedied the situation by placing stickers on their trucks that read "Proudly Serving the Midway City Sanitary District".

GM Robbins stated that the 2016 Calendar Committee, which consists of Directors Rice and Krippner, will need to begin working on the District's 2016 calendar soon.

GM Robbins reminded the Board of the Spirit Awards luncheon on Thursday, March 19 at noon and of the adjourned meeting on Wednesday, March 25, 2015 at 11 A.M. to review the District's new website, followed by a luncheon for MCSD employee Randy Griffith, who was nominated for Employee of the Year by the Board.

Director Neugebauer asked if the District was making any arrangements to the District yard in order to accommodate the District's new CNG trucks because there will be a period of time when the new trucks arrive and the old diesel trucks are still in use.

GM Robbins stated that after the trench is filled the back lot would be ready to accommodate all of the District's trucks for a period of time between the transition.

### **Report from Orange County Sanitation District Meeting (OCSD)**

Director Diep reported that he attended the Monday, March 9, 2015 meeting of the Orange County Public Legislators and Public Affairs Committee where the 2015-2016 Strategic Public Affairs and Community Outreach Plan was officially approved. He stated that the plan is quite robust and consists of five employees who are public affairs specialists who are responsible for such areas as award tracking, assisting the General Manager with Board relations, helping facilitate requests from Board Directors, capital project community relations, crisis management and employee relations.

Director Diep provided a calendar to the Calendar Committee for possible future ideas.

### **CONSENT CALENDAR**

A. Investment Report for February 2015

B. Approval of Attendance to the Business to Business Table Top Expo with Tri Ta, Mayor of the City of Westminster on Tuesday, April 21, 2015

C. Approval of Attendance to the City of Westminster's Prayer Breakfast on Thursday, May 7, 2015

A motion was made by Director Diep, seconded by Director Rice to approve the consent calendar. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **A. Consider Request to Quitclaim Distribution of a 10-Foot Easement to Westminster Memorial Park**

Director Rice stated that the District should sell the easement in question and not give it away.

A motion was made by Director Neugebauer, seconded by Director Rice to defer consideration of the quitclaim distribution of a 10-foot easement to Westminster Memorial Park until after an appraisal and valuation of the easement at fair market value is done. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

Labor Counsel Larson arrived at 5:30 P.M.

### **B. Consider Approving the 2015-2016 Annual Salaries and Step Ranges for Management and Administrative Employees**

A motion was made by Director Rice, seconded by Director Diep to approve the 2016-2016 annual salaries and step ranges for management and administrative employees of the District. The motion was approved by the following 4-1 vote:

AYES: Cobo, Diep, Krippner, and Rice

NAYS: Neugebauer

ABSTAIN:

ABSENT:

C. Consider Scheduling the First Public Budget Workshop/Study Session for Fiscal Year 2015-2016 (July 1, 2015 through June 30, 2015)

A motion was made by Director Diep, seconded by Director Rice to schedule the first public budget workshop/study session for fiscal year 2015-2016 (July 1, 2015 through June 30, 2016) on Tuesday, April 14, 2015 at 5 P.M. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

D. Consider Approval to Surplus and Donate Old Supervisory Control and Data Acquisition (SCADA) Computer to the Westminster Historical Society

A motion was made by Director Diep, seconded by Director Rice to approve the surplus and donation of the District's old SCADA computer system to the Westminster Historical Society, as recommended by staff. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

E. Consider Approval of Attendance to the Orange County Water Summit on Friday May 15, 2015

A motion was made by Director Diep, seconded by Director Rice to approve authorization of attendance for Board members and Staff who wish to attend the 2015 Orange County Water Summit. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

## INFORMATIONAL ITEMS

- A. Web Site Activity for the Month of February 2015 (82,422 Successful Hits)
- B. District Auto Coverage with Special District Risk Management Authority
- C. California Special Districts Association (CSDA) Webinars Offered in 2015

A motion was made by Director Diep, seconded by Director Rice to receive and file the informational items. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

## CLOSED SESSION

President Cobo convened the meeting to closed session at 5:45 P.M. pursuant to Government Code Sections 54957.6 and 54957(b).

**CLOSED SESSION:** During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time as the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

A. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: General Manager Robbins, Finance Director Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code Section 54957(b)) Title: General Manager

C. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representative: Thomas F. Nixon  
Unrepresented Employee: General Manager

Director Diep left the meeting at 6:34 P.M.



President Cobo reconvened the meeting at 7:02 P.M.

General Counsel Nixon stated that there was no reportable action due to the closed session.

#### **BOARD CONCERNS/COMMENTS**

Director Neugebauer stated that in the January-February edition of CSDA's magazine she noticed a legal brief article which stated that as of July 1, 2014 public agencies must file a form PWC-100 in order to register all public works jobs costing over \$1,000.

GM Robbins stated that the District had already completed form PWC-100 for the CNG fueling station project.

#### **GM/STAFF CONCERNS/COMMENTS**

Finance/HR Director Housley stated that the application and paperwork necessary to make the change to SDRMA Delta Dental Insurance for the District's employees has been submitted to underwriters and that he will keep the Board informed of when the District is approved and when benefits would take effect.

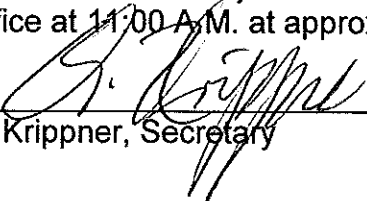
Finance/HR Director Housley stated that the field work for the District's annual audit has been scheduled for August 10-14, 2015.

#### **GENERAL COUNSEL CONCERNS/COMMENTS**

General Counsel Nixon stated that, with regard to the litigation between Rainbow and CR&R Environmental, the trial date has been continued to June 22, 2015 and mediation is scheduled prior to that on March 26, 2015.

#### **ADJOURNMENT**

President Cobo adjourned the meeting to Wednesday, March 25, 2015 at the District office at 11:00 A.M. at approximately 7:16 P.M.

  
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Al Krippner, Secretary